

BOARD CHAMBERS, COURTHOUSE, 7TH FLOOR

222 E. WEBER AVENUE, STOCKTON, CA

TUESDAY, AUGUST 13, 2002

9:00 AM

A moment of silence was held.

PRESENT: SUPERVISORS BEDFORD, SIEGLOCK, GUTIERREZ, MOW

ABSENT: SUPERVISOR MARENCO

Consent
Items:
#4, 13,
14, 20,
26 & 30
– Pulled
for
discussion

Consent Item: #4 - Supervisor Gutierrez commented on the SJC Mental Health Annual Report and stated that the report had many good ideas that he would like to see pursued. Bruce Hopperstead, Mental Health Director, and Carey Martin, Vice-Chairman of the Mental Health Advisory Board addressed this matter.

Consent Items: #13 and #14 - Supervisor Gutierrez inquired about the location of the UOP program. He reminded staff to continue being conscious of not locating all programs in a specific area, but rather to look at all the options available.

Consent Item: #20 - Supervisor Sieglock asked if County Counsel had any concerns of the terms of the lease agreement. County Counsel informed the Board that his office reviewed the lease in its present form and there are no concerns in its present form.

Consent Item: #26 - Supervisor Gutierrez asked for an explanation of the irregularity in the Bid Form as stated in the report to the Board. The Facilities Management Director and Chief Deputy County Counsel, Michael McGrew, responded to this matter.

Supplemental

Consent Item: #30 - Supervisor Sieglock expressed his concern about approving this item until he knows what the State is going to do with their budget. The County Administrator assured the Board that even though there are a number of people in these classification study requests that would be effected, it is not the intent of the CAO office to fill these positions until the State budget is known.

Supervisor Gutierrez also indicated similar concerns but stated that he would support the study to go forward, and that he anticipates staff to come back and inform the Board on how the results of the classification studies will be addressed.

Chairman Mow shared the same concern and for the record stated that this item was a supplemental agenda item.

Consent Item : #9 - **Continued to 8/20/02**

Consent Items: #1- 8 & 10 – 29 and Supplemental Consent Item #30 - **Approved.**

Bedford/Gutierrez/4 Marengo/Absent

SCHEDULED MORNING ITEMS

9:00 a.m. - bos – Presented Proclamation Designating the Month of August as Child Support Awareness Month to Judy A. Grimes, Director of San Joaquin

County Department of Child Support Services. Judy Grimes, Director of San Joaquin Department of Child Support Services introduced staff member Cleveland Gordon, Administrative Assistant II, Department of Child Support Services.

9:00 a.m. - bos - Appointments to Boards & Commissions:

- A. Garden Acres Community Center Advisory Board - 1 Position. Under Submission

DISCUSSION - HEALTH & HUMAN SERVICES

1. cao - Informational Report on the San Joaquin County Children and Families Commission. Lani Schiff-Ross, Children & Families Program Coordinator, addressed the Board on this report. **Oral Presentation Only - No Action Taken.**

COMMUNICATIONS

bos - Received and Referred all Board Communications this Date as Outlined on the Communications Distribution Listing. Sieglock/Gutierrez/4 Marengo/Absent B-02-1008

PUBLIC COMMENT

ToCan Nguyen addressed the Board on various matters.

Nancy Phelps, Christel McCullough, Pastor Johanna Filkey, Bishop Mark Filkey, Louisa Birruetta, Pastor Jim Dunn, Wayne Bibelheimer, Ken Owen, Steve Messinger, Sharon Morris, Clair Stevens, Rachel Johnson, Timothy Johnson, Frank Valencia, Tina Scott Washington, Beverly Alix, Ruth Davis, Gabriel Lopez, Charles Staford, and Charity Jett addressed the Board regarding an adult boutique store currently under construction on West Lane.

Frank Martinez introduced himself as representing SEIU of Local 790 and stated he would yield his speaking time to those individuals in attendance who wanted to speak on In-Home Supportive Services.

Dana Simon, Betty Sconyers, and Willene Park addressed the Board regarding various Home Health Care Worker issues.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Gutierrez in referring to an earlier discussion regarding the adult boutique store being constructed on West Lane, inquired as to what authority does the Board have in amending an ordinance in order to ensure that the public process has been followed to the fullest extent in order to prevent the current situation from reoccurring in the future.

Chairman Mow pointed out from his experience with the City of Stockton that in cases of an adult bookstore or alcohol, a public hearing process is required prior to a use permit being issued. However, in land use issues, if the business is appropriate with the zoning category, then often noticing is not required. In exploring options, Chairman Mow said one of the questions is "how do you un-ring the bell when the bell has been rung."

County Counsel stated that in some areas the Board has the authority to set up its own rules and regulations with respect to notice and public hearings, including what the extent of the public hearing will be. In other areas, the Board is pre-empted by state law when it is a matter of statewide interest. County Counsel also added that there are even cases, depending on what the issue is, that may be affected by both local and state rules and regulations.

Supervisor Sieglock asked that the County Administrator furnish the Community Development Director with copies of ordinances from the City of Lodi and the City of Erie, Pennsylvania that were distributed to the Board under Public Comment by Ken Owen and Steve Messinger.

Supervisor Mow commended the EEDD Summer Youth Theater Arts production of Cinderella for the honor of being selected to perform in Anaheim for the U.S. Department of Labor Council, and to be used as a model for the program throughout the United States.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Don Turko; Edward Takach; Geoff Rothman; Jeff Sloan;
Harry Lewis

Employee Organizations: SEIU, San Joaquin Deputy Sheriff's Association,

San Joaquin County Correctional Officers Association, San Joaquin County

Law Enforcement Management Association, Sheriff Deputy Sergeant Association,

California Nurses Association, San Joaquin County Management Association, San

Joaquin District Attorney Investigator's Association, Union of American Physicians

and Dentists, and Unrepresented

SCHEDULED AFTERNOON ITEM

1:30 p.m. - cdd - Public Hearing Regarding the Appeal by the City of Lathrop Regarding the Planning Commission's Denial of the City of Lathrop's Appeal of Site Approval No. SA-01-75 of Richard & Lynda Stagno. (3rd District) Kerry Sullivan, Senior Planner, Community Development Department, and Don Moyer addressed the Board on this matter. **Continued Matter for 6 Months – No Date Announced.** Gutierrez/Bedford/3 Sieglock & Marengo – Absent B-02-1027

CONSENT - HEALTH & HUMAN SERVICES

1. cao - Response to Grand Jury Report on Mary Graham Children's Shelter. B-02-1009
2. cao - Approval of Extension of Agreement with Visionary Integration Professional for San Joaquin County and Children and Families Commission. B-02- 1010 & A-02-727
3. hcs - Insurance Refund Health Plan of San Joaquin Account #100068589. B-02-1011
4. hcs - Mental Health Service San Joaquin County Mental Health Board Annual Report. B-02-1012
5. hcs - Mental Health Services Agreements with Managed Care Network Providers. A-02-728 thru A-02-740
6. hcs - Revision to Emergency Medical Services Grant for FY 2001-02 on Medical Mutual Aid in Region IV. A-02-741
7. hcs - Adoption of a Resolution in Support of HR 1556/S.839 - The American Hospital Preservation Act. R-02-528
8. hcs - Revisions to San Joaquin General Hospital Medical Staff Bylaws and Rules Regulations. B-02-1013
9. hcs - Amend County Plan for Proposition 36 Residential Treatment Center.
10. hcs - Approval of Revisions of Plan for Providing Patient Care Services & Hospital-Wide Performance Improvement Plan. B-02-1014
11. hcs - San Joaquin General Hospital Bylaws. B-02-1015
12. hcs - 2002/03 Mental Health Contract Program Approvals. (4) A-02-742 thru A-02-745
13. hcs - 2002/03 Mental Health Contract Program Approvals. (7) A-02-746 thru A-02-752
14. osa - Contract to Provide Sober Living Transitional Housing for Proposition 36 Clients. B-02-1016 & A-02-753

15. phs - HIV/AIDS Community Action Group of San Joaquin County Memorandum of Understanding. B-02-1017 & A-02-754 thru A-02-757
16. phs - Child and Disability Prevention (CHDP) California Children Services (CCS) Plan for Fiscal Year 2002-2003. B-02-1018

CONSENT - PUBLIC WORKS

17. pw - Award of Contract for the Marine Avenue Improvements (1st District). R-02-528
18. pw - Acceptance of the Corral Hollow Road Resurfacing Contract and Execution of a Notice of Completion (5th District). R-02-529
19. pw - Accept the San Joaquin County Water Impact Mitigation Fee Program Annual Report for Fiscal Year 2001-02. B-02-1019

CONSENT - LAW & JUSTICE

20. s/o - Sheriff - Cal MMET: Aircraft Hangar Lease. A-02-758
21. s/o - Sheriff-Narcotics: Approval of Out-of-State Travel to Attend Drug Unit Commander's Academy in Fredericksburg, VA. B-02-1020
22. s/o - Sheriff-Narcotics: Federal Equitable Sharing Agreement and Annual Certification Report. B-02-1021 & A-02-759

CONSENT - GENERAL GOVERNMENT

23. cdd - Execute Renewal of Employment Contract to Provide Planning Services for the Mountain House New Community. A-02-760
24. cob - Approve Announcement of 3 Positions on the Agricultural Advisory Board. B-02-1023
25. purchasing - Adopt an Ordinance Pertaining to Creating a Local Vendor Preference. **(Said Ordinance was Introduced and Waived on August 6, 2002)** Ordinance #4163
26. fac/mgmt - Award of Contract for the San Joaquin County Detention Facility Security Upgrades. R-02-530

27. p/c - Resolution **Setting Date of September 3, 2002 at 9:00 a.m.** to Hear Objections to Assessments Upon the Lands in the Plain View Water District for Fiscal Year March 1, 2002 to February 28, 2003, and Specifying Notice of Hearing. R-02-531
28. rov - Resolution Calling for a Special Municipal Election for the City of Ripon and to Consolidate Said Election with the State of California General Election to be Held on Tuesday, November 5, 2002. R-02-532
29. veterans - State Allocation of Subvention & Medi-Cal Funds - FY 2002-2003. B-02-1024

ADJOURNED TO TUESDAY, AUGUST 20, 2002 AT 9:00 A.M.

Gutierrez/Bedford/3 Sieglock & Marenco – Absent B-02-1025